

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

COLLEGE REPUBLICANS AT SAN FRANCISCO STATE
UNIVERSITY, an unincorporated student organization; LEIGH
WOLF, an individual; TRENT DOWNES, an individual,

SUMMONS IN A CIVIL CASE

CASE NUMBER:

3542

v.

ROBERTA ACHTENBERG, et al.

[SEE ATTACHED at 1]

TO: (Name and address of defendant)

[SEE ATTACHED at 2]

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

David J. Hacker
Alliance Defense Fund
101 Parkshore Drive, Suite 100
Folsom, California 95630

an answer to the complaint which is herewith served upon you, within **20** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking
CLERK

DATE JUL 9 2007

(BY) DEPUTY CLERK

ANNA SPRINKLES

Summons Attachment

List of Defendants:

Roberta Achtenberg, Jeffrey Bleich, Herbert Carter, Carol Chandler, Debra S. Farar, Kenneth Fong, George Gowgani, Melina Guzman, William Hauck, Raymond Holdsworth, Jr., Ricardo F. Icaza, Andrew LaFlamme, Bob Linscheid, Peter Mehas, Lou Monville, Jennifer Reimer, Craig R. Smith, Glen Toney, Kyriakos Tsakopoulos, Arnold Schwarzenegger, John Garamendi, Fabian Nunez, Jack O'Connell, Charles B. Reed, Robert A. Corrigan, J.E. Saffold, and Joey Greenwell.

1 Name and Address of Each Defendant:

2 Roberta Achtenberg, Jeffrey Bleich, Herbert Carter, Carol Chandler, Debra S. Farar, Kenneth
3 Fong, George Gowgani, Melina Guzman, William Hauck, Raymond Holdsworth, Jr., Ricardo
4 F. Icaza, Andrew LaFlamme, Bob Linscheid, Peter Mehas, Lou Monville, Jennifer Reimer,
5 Craig R. Smith, Glen Toney, Kyriakos Tsakopoulos, Arnold Schwarzenegger, John Garamendi,
6 Fabian Nunez, Jack O'Connell, Charles B. Reed, Robert A. Corrigan, J.E. Saffold, and Joey
7 Greenwell

8 Address for all defendants:

9 Christine Helwick
10 Office of General Counsel
11 The California State University, Office of the Chancellor
12 401 Golden Shore, Fourth Floor
13 Long Beach, California 90802-4210
14 (562) 951-4500
15 (562) 951-4956 (fax)

16 The General Counsel is authorized to accept service of process for the California State
17 University, the Trustees, Chancellor and Presidents, for any matter arising out of their service to,
18 or employment by, the California State University.
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David J. Hacker, CA 249272
 ALLIANCE DEFENSE FUND
 101 Parkside Dr.
 Folsom, CA 95630
 Telephone: 916-932-2850
 Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

College Republicans of San Francisco
 State University
 Plaintiff(s)

CASE NUMBER:

C-07-3541

v.

Roberta Achtenberg, et al.

Defendant(s)

**PROOF OF SERVICE
 SUMMONS AND COMPLAINT**

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the *(specify documents)*:
 - a. ☒ summons ☒ complaint ☐ alias summons ☐ first amended complaint
☐ second amended complaint
☐ third amended complaint
 - ☒ other *(specify)*: See Attached
2. **Person served:**
 - a. ☒ Defendant *(name)*: Glen Toney
 - b. ☒ Other *(specify name and title or relationship to the party/business named)*:
 Andrea Guon-Person in Charge of Office of the General Counsel to CSU
 - c. ☒ Address where papers were served: 401 Golden Shore, 4th Floor, Long Beach CA, 90802
3. **Manner of Service** in compliance with *(the appropriate box must be checked)*:
 - a. ☒ Federal Rules of Civil Procedure
 - b. ☐ California Code of Civil Procedure
4. I served the person named in Item 2:
 - a. ☐ By **Personal service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
 1. ☐ Papers were served on *(date)*: _____ at *(time)*: _____
 - b. ☒ By **Substituted service**. By leaving copies:
 1. ☐ **(home)** at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
 2. ☒ **(business)** or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.
 3. ☒ Papers were served on *(date)*: August 3rd, 2007 at *(time)*: 11:21 AM
 4. ☒ **by mailing** *(by first-class mail, postage prepaid)* copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
 5. ☒ papers were mailed on *(date)*: August 7th, 2007
 6. ☒ **due diligence**. I made at least three (3) attempts to personally serve the defendant.

- c. ☐ **Mail and acknowledgment of service.** By mailing (*by first-class mail or airmail, postage prepaid*) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (**Attach completed Waiver of Service of Summons and Complaint**).
- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. (**Attach a copy of the order to this Proof of Service**).
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- h. ☐ **Other** (specify code section and type of service):
5. **Service upon the United States, and Its Agencies, Corporations or Officers.**
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): _____ at (time): _____
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (**Attach signed return receipt or other evidence of actual receipt by the person served**).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (*name, address and telephone number*):

Hector A. Flores
One Legal, Inc. - 132-Marin
504 Redwood Blvd #223
Novato, CA 94947
415-491-0606

a. Fee for service: \$ 101.25

b. ☐ Not a registered California process server

c. ☐ Exempt from registration under B&P 22350(b)

d. ☒ Registered California process server

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: August 7th, 2007


(Signature)

Attached Documents

Summons in a Civil Case

Verified Complaint & Exhibits

Civil Cover Sheet

Certification of Interested Entities or Persons

Order Setting Initial Case Management Conference and ADR Deadlines

Notice of Assignment of Case to a United States Magistrate Judge

Plaintiffs' Consent to Proceed Before a United States Magistrate Judge

ECF Registration Information Handout

Dispute Resolution Procedures in the Northern District of California

Order Granting Application for Admission Pro Hac Vice - David A. French

Order Granting Application for Admission Pro Hac Vice - Travis C. Barham